

# News Release



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## **Court rules in favor of MSHA in UMWA challenge to public hearings**

**ARLINGTON, Va.** – The U.S. Department of Labor’s Mine Safety and Health Administration today announced that the U.S. District Court for the Southern District of West Virginia has ruled in MSHA’s favor in a recent challenge to the agency’s decision to conduct private interviews as part of its investigation of the Upper Big Branch Mine explosion.

On May 10, the United Mine Workers of America and the estates of two of the 29 miners killed in the April 5 blast asked U.S. District Judge Irene C. Berger to stop MSHA from conducting private witness interviews and to direct the agency to conduct its accident investigation exclusively through public hearings. But on May 20, the court ruled that federal law does not authorize the lawsuit.

“We hope that those who supported the lawsuit will come to realize that, ultimately, MSHA’s overall investigation of the Upper Big Branch Mine explosion will be the most open and comprehensive investigation in the history of the agency,” said Solicitor of Labor Patricia Smith. “People should understand that private interviews are an important part of our investigation, but they’re not the only part.”

Once MSHA’s investigation team completes its witness interviews and conducts a physical examination of the mine, the agency will hold a series of public hearings and forums to discuss the possible cause(s) of the explosion, and identify and develop corrective actions, procedures and strategies to prevent the occurrence of similar accidents.

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